

REMARKS/ARGUMENTS

In response to Applicants' appeal brief received by the U.S. PTO on May 12, 2005 prosecution was reopened. Claims 1 to 8 and 21 to 24 were rejected under 35 U.S.C. §102(b) as being anticipated by Sarring (US 3,722,336). Claims 9 to 11 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sarring in view of asserted applicants' admitted prior art.

Withdrawal of the rejections to the pending claims is respectfully requested.

35 U.S.C. §102 (b) Rejections

Claims 1 to 8 and 21 to 24 were rejected under 35 U.S.C. §102(b) as being anticipated by Sarring (US 3,722,336).

Sarring shows belts 1294, a housing 1224 and a side knife bar 1490 moving downwardly.

Claim 1 recites a transfer apparatus for a sheet material article trimmer, the transfer apparatus comprising:

a transfer element configured to grip the sheet material article and move the sheet material article in a transfer direction onto a moving side table of the sheet material article trimmer; and

a driver configured to move the transfer element at a same speed as the moving side table during a first time period, the speed of the side table and the transfer element varying during the first time period, when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction.

There is no transfer element configured to grip as claimed – housing 1224 clearly is not a gripping element.

Moreover, even assuming that 1490 is somehow a table (which it is not), there is no *“driver configured to move the transfer element at a same speed as the moving side table during a first time period, the speed of the side table and the transfer element varying during the first time period, when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction”* as claimed.

The elements 1294 and 1490 do not *vary speed during the first time period* as claimed. The belt 1294 is stationary and does not move during the cut, as shown by Fig. 38. There is no point where the element 1490 moves at a same varying speed as the belts.

Moreover, Sarraf does not teach or show a first time period, "*when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction*" and this limitation has not been addressed.

Withdrawal of the rejections under 35 U.S.C. §102(b) to claims 1 to 8 and 21 to 24 is respectfully requested herewith.

With further respect to claim 21, claim 21 recites the transfer apparatus as recited in claim 1 wherein the driver moves the transfer element during the first time period to match a reciprocating motion of the side table.

The driver in Sarraf does not move the belts 1294 at all during the time period cited in the office action. The belts 1294 are stationary at this point.

Withdrawal of the rejection to claim 21 for this reason as well is respectfully requested.

35 U.S.C. §103(a) Rejections

Claims 9 to 11 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Sarring in view of applicants' admitted prior art (Bryson et al., US 3,733,947).

With respect to claims 9 to 11, withdrawal in view of the above is respectfully requested.

With respect to claim 25, claim 25 recites a transfer apparatus for a sheet material article trimmer, the transfer apparatus comprising:

a transfer element configured to grip the sheet material article and move the sheet material article in a transfer direction onto a side table of the sheet material article trimmer; and

a driver configured to move the transfer element at a same speed as the side table during a first time period when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction;

the driver including an epicycle gear unit, the epicycle gear unit including a constant speed input member driven by a main trimmer drive of the sheet material article trimmer and a

variable speed input member configured for varying an output of the epicycle gear unit so as to vary a speed of the transfer element.

It is respectfully submitted that Sarring does not have “a driver configured to move the transfer element at a same speed as the side table during a first time period when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction” as asserted in the Office Action and discussed above, and withdrawal of the rejection to claim 25 for this reason is respectfully submitted.


Withdrawal of the rejections under 35 U.S.C. §103(a) to claims 9 to 11 and 25 is respectfully requested herewith.

CONCLUSION

It is respectfully submitted that the present application is now in condition for allowance, and Applicants respectfully requests such action.

Respectfully submitted,

DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
William C. Gehris
Reg. No. 38,156

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940